



**Davidson Fink LLP**

ATTORNEYS AND COUNSELORS AT LAW

**GLENN M. FJERMEDAL**  
PARTNER

Email: [gfermedal@davidsonfink.com](mailto:gfermedal@davidsonfink.com)

Tel: 585-756-5950

Fax: 585-758-5103

October 13, 2011

**VIA CM/ECF FILING**

Honorable Carol B. Amon  
Honorable John Gleeson  
Honorable Kiyo A. Matsumoto  
United States District Court  
Eastern District Of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: Anthony Fahme v. Capital Management Services, LP  
E.D.N.Y. Case No. 11-CV-240**

**Shlomo Oved v. Capital Management Services, LP  
E.D.N.Y. Case No. 11-CV-3202**

**Shmuel Lowenbein and Dovi Lowenbein  
v. Capital Management Services, LP  
E.D.N.Y. Case No. 11-CV-3426**

Dear Judges Amon, Gleeson and Matsumoto:

This letter serves to respond to Plaintiffs' Motion to Consolidate the above-referenced matters. As Plaintiffs' counsel specified in his letter motion of October 11, 2011, since the Oved and Lowenbein matters primarily contain the TCPA claim, I have expressed concern that they are not related to the Fahme matter above and should not be consolidated with that matter. However, the Oved and Lowenbein Plaintiffs have filed numerous FDCPA/TCPA claims in the United States District Court for the Eastern District of New York (4 active related matters for Plaintiff Oved and 12 active related matters for the Lowenbein Plaintiffs). As such, I would not object to a consolidation of all the related Oved and Lowenbein matters for discovery purposes.

I respectfully bring this issue to Your Honors' attention for due consideration and of course am filing this letter under all three cases identified above.

Honorable Carol B. Amon  
Honorable John Gleeson  
Honorable Kiyo A. Matsumoto  
October 13, 2011  
Page 2

Should Your Honors have any questions, please do not hesitate to contact me directly.

Respectfully Submitted,

DAVIDSON FINK LLP

/s/: Glenn M. Fjermedal

Glenn M. Fjermedal

cc: Adam Fishbein, Esq. (Via E-Mail)